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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Tulgren et al. )  
Application No.: 10/658,670 ) Office of Petitions  
Filed: September 9, 2003 ) Patent and Trademark Office  
Title: MODULAR PET FURNITURE )  
)

PETITION FOR REVIVAL OF ABANDONED APPLICATION

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

11/07/2005 TL0111 00000049 160631 10658670  
01 FC:2453 750.00 DA

Sir:

The Applicant hereby requests revival of the present application for unintentional abandonment. An Office Action mailed October 26, 2004 was not responded to by the attorney of record in the case. The applicants, Nancy Tulgren and Gregory Tulgren, did not intend for this case to go abandoned and did not authorize the attorney handling this file to not respond to the Office Action. The entire delay in filing the required reply from the due date for the reply until the filing of the petition pursuant to 37 C.F.R. 1.137(b) was unintentional.

Enclosed herewith is an RCE in response to the Office Action of October 26, 2004.

Because the assignee did not intend to allow the case to go abandoned at any period of time, it is respectfully submitted that a delay in responding to the Patent and Trademark Office was unintentional.

The Commissioner is authorized to charge Deposit Account No. 16-0631 in the amount of \$1,250.00 to cover the petition fee of (\$750.00) and RCE filing fee (\$500.00). The

Application No. 10/658,670

Commissioner is hereby authorized to charge to Deposit Account No. 16-0631 any underpayment, overpayment or additionally required fees.

Respectfully submitted,



Michael A. Bondi  
Registration No. 39,616


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Minneapolis, Minnesota 55402-2100  
Telephone: (612) 349-5771

*Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.*

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 571-273-8300 on the date shown below thereby constituting filing of same.

November 4, 2005  
Date

  
Michael A. Bondi

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Attorney Docket No. 3135.02US01

**REQUEST FOR CONTINUED EXAMINATION  
 (RCE) TRANSMITTAL**

Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

11/07/2005 TL0111 00000049 160631 10658670  
 02 FC:2801 395.00 DA

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of Application No. 10/658,670, filed September 9, 2003 for: MODULAR PET FURNITURE, by: Nancy Tulgren and Gregory Tulgren.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- ☐ Please enter in the present application the unentered Amendment under 37 C.F.R. § 1.116, with any attachments, filed on January 26, 2005 in said prior application.
- ☐ Consider the arguments in the Appeal Brief or reply Brief previously filed on \_\_\_\_\_
- ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- ☒ A Preliminary Amendment is enclosed. Claims added by this Amendment are properly numbered consecutively beginning with the number next following the highest numbered claim in the prior application.
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other \_\_\_\_\_

2. ☒ The filing fee is calculated below:

	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra (Equals)	Small Entity Rate	Add'l Fee	OR	Large Entity Rate	Add'l Fee
Total	15	- [15]**	=	x 25	\$0		x 50	\$
Indep.	3	- [3]***	=	x 100	\$0		x 200	\$
RCE fee				+ 395	\$500		+ 790	\$
Mult. Dep.			=	+ 180	\$0		+ 360	\$
TOTAL				\$500		OR	TOTAL	\$

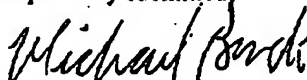
☐ First Presentation of Multiple Dependent Claim (MDC)

- \* If the entry in Column 1 is less than the entry in Column 2, write "0" in Column 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Column 1 of a prior Amendment or the number of claims originally filed.

RCE of U.S. Application No. 3135.02US01  
Filed September 9, 2003

3. [X] The Commissioner is authorized to charge Deposit Account No. 16-0631 in the amount of \$1,250.00 to cover the RCE fee (\$500)(The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed) and to cover the petition fee (\$750). The Commissioner is hereby authorized to grant any extensions of time and to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required during the entire pendency of this application to Deposit Account No. 16-0631.

Respectfully submitted,



Michael A. Bondi  
Registration No. 39,616

*Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.*

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 703-872-9306 on the date shown below thereby constituting filing of same.

November 4, 2005  
Date

  
Michael A. Bondi